

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
:
-v- : 19-CR-696 (PAE)
:
ARI TEMAN, :
:
Defendant. :
:
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PAUL A. ENGELMAYER, United States District Judge:

The Court is currently reviewing defendant Ari Teman's post-trial motions, including his claim that the Indictment was constructively amended at trial insofar as it described certain checks as "counterfeit." The Court has determined, in the interest of due care, to review itself the transcripts of the grand jury proceedings in this case, to enable the Court independently to assess Teman's contention that the theory of liability with respect to these checks pursued at trial departed from that presented to the grand jury. For avoidance of doubt, the Court's review of the grand jury transcripts will be *in camera* and *ex parte*. The grand jury transcripts are not to be supplied to the defense, which has not provided sufficient justification for defense access to these materials. The Court's decision resolving Teman's motion will address these matters further.

The Government is therefore directed to provide the Court with the grand jury transcripts by May 8, 2020. In light of the current public health crisis, the Government, in lieu of supplying hard copies of these transcripts, is to email them to the Court's Chambers email address.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: May 6, 2020
New York, New York